

**TOWN OF ULYSSES
PLANNING BOARD
MINUTES
04/15/14**

APPROVED 6/17/14

Present: Chairperson Rod Hawkes, Board Members: Sarah Adams, Richard Garner, Andy Rice, Rebecca Schneider, John Wertis, Town Supervisor Liz Thomas, Town Board Member Nancy Zahler

Excused: Brian Cutler

Applicant: Scott Nostrand-B&L Engineer, Jim Proctor- Cayuga Compost, Linc and Beth Morse

Call to order:

Mr. Hawkes called the meeting to order at 7:00pm.

Agenda Review:

Mr. Hawkes asked for acceptance or changes to the agenda, none were offered.

Minutes:

The minutes of 03/18/14 were presented. Mr. Rice made the MOTION, Mr. Garner SECONDED the MOTION to approve as presented.

The vote was taken:

Ms. Adams Aye

Mr. Garner Aye

Mr. Hawkes Aye

Mr. Rice Aye

Ms. Schneider Abstained

Mr. Wertis Aye

Privilege of the Floor:

No public present

Cayuga Compost Public Hearing:

Mr. Hawkes stated they have called a public hearing for Cayuga Compost (located at 3225 Agard Rd, Tax Parcel Number 20.-2-3, A1-Agricultural District) began operating at that location around 2006, and with a proposed expansion received Site Plan Approval on March 17, 2009.

The 2009 Site Plan included a compost curing/storage building, which was not built. The 2013/2014 Site Plan includes the relocation of the compost storage building from the north side to the south side of the compost pad area. The proposed building is being funded by an Empire State Development grant through a partnership with Tompkins County Solid Waste Division. In order to expand their capacity, Cayuga Compost is also applying for a modification to their New York State Solid Waste Management Facility permit (Part 360). This Board had reviewed this project at the 01/21/14 meeting. A request for maps and boundary changes were made at that point. The applicant has made the changes and provided additional information as requested.

He noted Scott Nostrand, the engineer for the project was in attendance. He asked Mr. Nostrand to present the project.

Mr. Nostrand described the project at length. He indicated on the maps the changes to the site plan to accommodate the increased source separated organic waste (SSOW); this has been done in conjunction with TC Solid Waste, and they were able to receive a grant to fund this. They are on time constraints however, due to grant deadlines etc. This change will allow the facility to become more efficient, hire additional staff, and pay for equipment. The new building will allow storage of the cured compost.

The Engineering Report is under review by DEC. The increase in traffic is being mitigated by new collection vehicles; they will be bigger so there will be fewer trips. Updates to the SWPPP were submitted according to current regulations. The Proctor's modified the lots to be in compliance with the Cottage Industry in the current zoning. The required filings were done at the County level to incorporate these lots changes. The DEC has noted a response period for comments to be sent. They are hoping to act on the permit by June per the grant time line.

Mr. Hawkes noted the signage had been posted as had been the legal notices for the hearing sent to newspapers and neighbors. He asked the public for comments.

Mr. Morse stated that he is a commercial contractor and purchases the compost both commercially and privately. He fully supports this project and appreciates the great job the Proctor's do.

Ms. Zahler stated she is taking off her Town Board hat and presenting herself as a neighbor to Cayuga Compost. She has resided on Agard Road for 25 years and walks her dog daily past this site. She noted the Proctor's are conscientious, the lot is attractive, and she does not feel this would cause an adverse effect to the neighborhood. She is not a biologist but as a neighbor she supports this project.

Ms. Thomas stated she is commenting as a resident vs. Town Supervisor. She is supportive of this project, and was the first manager of Cayuga Compost at the Cayuga Nature Center. The windrows temperature of 160° destroys the bacteria in the compost.

Mr. Hawkes closed the public hearing due to no additional questions from the public. He asked the members for discussion related to the site plan.

Ms. Schneider stated she is concerned with the use of manure. She noted upslope an intercept before entering the windrow pads. She asked what the pads are composed of. An extension of stormwater berm is shown on the map. Hot windrows will provide runoff across frozen fields if compost is done all year round. This process would allow sheeting across the field of the runoff. She stated concerns on the soil samples being done while frozen. She loves the job they do, loves the value of the compost but has concerns regarding the increased volume and the same pads being used. There would be an increase in manure, wood chips and piles to manage. She is concerned as she has not had enough time to review the material. She feels they

are being pressured by Tompkins County to rubber stamp this project. She is very busy and works hard for this Board, she resents being pressured on this project.

Mr. Garner stated the operation is not changing as far as size of the compost pad; the current compost would remain on current pads and when finished, it would be moved to the proposed storage building. He asked if members had reviewed the DEC report.

Ms. Adams asked for clarification of original permit of 2009 for yard waste and food scraps, she understands they have been composting institutional scraps and the city is doing a test program. Would the use increase gradually? She is also concerned regarding the soil samples being taken during the frozen months. This was determined to be a cottage industry 5 years ago; she has a lot of concern for this classification. She questioned an industry this size being classified as a cottage industry.

She questioned what additional growth the county has in mind for this type of waste. She noted this is a modification of the site plan from 2009.

Mr. Rice stated with the food scraps varmints would be an issue; he asked if the DEC have control mechanisms for this. Would the waste sit in piles for days. He stated the nature of this business and operator appears to be looking to do what is right. There is some concern with the runoff, he asked if there could be modifications to the runoff, stormwater plan.

Mr. Nostrand responded to concerns by indicating on maps the procedures and upgrades to the site plan from 2009. The process would be gradual; as the County implements different municipalities into the food scrap process the business would grow. If the permit maximum is approached, they have no desire to increase. The County would have to seek alternate companies to handle the waste. The City of Ithaca sends SSOW for digestion at the City Waste Water plant; Cornell University sends their product elsewhere as well. Soil samples were all taken in compliance and processed according to DEC regulations. The tubes were sent with blocks of soil to be processed as field bulk. The windrows were reviewed in 2009 and approved to be within compliance. They have never received any citations and submit their annual reports to DEC. They do plan on adding gravel to the packed soil of the windrows. The compost mix is within the regulation, the compost pad area is staying the same size. They would be using more of the pad for composting with the finished product being moved to the storage unit. He noted the flow of the compost on the diagram. This is not a CAFO or stockyard; the manure may stay in a pile for a few days but is incorporated into the compost quickly and regularly. He noted the DEC regulates the manure levels not the Town.

Mr. Wertis stated he is not uncomfortable considering the modifications and testing of affluent piles. He noted the runoff could be tested currently to determine compliance numbers. He made the MOTION as drafted by Ms. Kiley; a SECOND was not made thus the MOTION was tabled.

Ms. Kiley stated the information packets given to the Board in January 2014 had information from the engineering report.

Mr. Hawkes concluded the discussion and the members agreed additional information was needed from the DEC, they would discuss further at the May 6, 2014 meeting. It was requested the members get questions to Ms. Kiley for the DEC.

SITE PLAN REVIEW FOR FLAG LOT AT 5381 PERRY CITY RD

He noted the next item on the agenda is a Site Plan for a single-family residence on a flag lot, located west of 5381 Perry City Road, Town of Ulysses, part of Tax Parcel Numbers 35.-2-2.2, A1Agricultural District. With the recent 2013 Zoning Law adoption, the Standards for Flag Lots (Section 20.12) were revised, and Site Plan Review is now required for new development on Flag Lots. George L. and Beth Morse are the property owners and applicants. On March 18, 2014, the Planning Board approved the 2-lot subdivision for the parcel. Stormwater: The area of disturbance will likely be greater than 1 acre and will trigger the Town's Erosion and Sediment Control local law, and a Stormwater Pollution Prevention Plan for erosion and sediment controls is required. A sketch is included in the application materials.

He asked the applicants to present the project.

Mr. Morse presented three options they had drafted, and stated they preferred the first. They currently live on the lot next to this property and know an elevated pump septic system will be required as there are limited area for leach fields. They would construct a timber frame product; they plan on a foundation vs. a full basement. The system would be designed for this terrain.

Mr. Wertis stated he did not feel this Board should be in a position of choosing. He stated the applicant preferred option one thus feels they should review for all setbacks and safeguards. The members reviewed the plans and commented on the setbacks, the streams and if they are in the Army Corp definitions.

Mr. Hawkes stated the need to complete the SEQR process. This document was reviewed as presented by the applicant and Ms. Kiley.

Mr. Hawkes MADE the MOTION, Ms. Adams SECONDED the MOTION as follows:
WHEREAS:

1. This is consideration of Site Plan Approval for a Single-Family Residence on a Flag Lot located west of 5381 Perry City Rd, Part of Tax Parcel Number 35.-2-2.2, A1-Agricultural District; George L and Beth Tetreault Morse, Owners; and
2. This is an Unlisted Action for which the Town of Ulysses Planning Board is acting in this uncoordinated environmental review with respect to Site Plan Approval; and
3. The Planning Board, on April 15, 2014, has reviewed and accepted as adequate a Short Environmental Assessment Form Part 1, submitted by the applicant, Parts 2 and 3, prepared by Town staff, and other application materials;

NOW THEREFORE BE IT RESOLVED:

That the Town of Ulysses Planning Board hereby makes a negative determination of environmental significance for the reasons set forth in the Environmental Assessment Form Parts 2 and 3 referenced above, in accordance with the New York State Environmental Quality Review Act for the above referenced action as proposed, and, therefore, an Environmental Impact Statement will not be required.

The vote was UNANIMOUS, SEQR APPROVED.

Mr. Hawkes asked for motion on the site plan.

Mr. Rice MADE the MOTION, Mr. Wertis SECONDED the MOTION as follows:

WHEREAS:

1. This is consideration of Site Plan Approval for a Single-Family Residence on a Flag Lot located west of 5381 Perry City Rd, Part of Tax Parcel Number 35.-2-2.2, A1-Agricultural District; George L and Beth Tetreault Morse, Owners; and
2. This is an Unlisted Action for which the Town of Ulysses Planning Board, on April 15, 2014, has made a negative determination of environmental significance with respect to this project, after having reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1, 2 and 3; and
3. The Planning Board, on April 15, 2014, has reviewed and accepted as adequate, application materials including a project narrative, Agricultural Data Statement, and site plan maps showing the proposed building site, erosion and sediment control plans, construction drawings, and other application materials; and
4. The Tompkins County Planning Department has not completed the General Municipal Law §239-1 and –m review of the project, and a supermajority is needed to approve the project

THEREFORE IT IS HEREBY RESOLVED,

1. That the Planning Board of the Town of Ulysses hereby waives certain requirements for Site Plan Approval, including a public hearing, having determined from the materials presented that such waiver will result in neither a significant alteration of the purpose of site plan control nor the policies enunciated or implied by the Town; and
2. That the Planning Board of the Town of Ulysses hereby grants Site Plan Approval for the proposed Single-Family Residence, as shown on the map set labeled as Option #_, subject to the following conditions:
 - a) Submission of a SWPPP for Erosion and Sediment Control to the Town of Ulysses for review and approval prior to the application of any building permit; and
 - b) A culvert of sufficient size will be installed to accommodate the drainage pattern that connects two wetlands on the property.

The vote was UANIMOUS, SITE PLAN APPROVED

Mr. Hawkes adjourned the meeting at 9:08pm.

Respectfully submitted,

Robin Carlisle Peck
Administrative Assistant